



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
DIVISION OF WORKERS' COMPENSATION

**RELIGIOUS EXCEPTION INFORMATION**

Exceptions from the provisions of the Missouri Workers' Compensation Law for certain employees who are members of a religious sect or division.

An employee may request an exception from the provisions of the workers' compensation law in respect to certain employees who are members of a recognized religious sect or division as defined in 26 U.S.C. 1402 (g), by reason of which they are conscientiously opposed to accepting public or private insurance benefits, including benefits of any insurance system established under the Federal Social Security Act.

Pursuant to 26 U.S.C. §1402 (g), the Commissioner of Social Security must find that:

- (i) the religious sect or division has the established benefits or teachings mentioned above,
- (ii) it is the practice for the members of such sect or division thereof to provide for their dependent members, which is reasonable in view of their general level of living, and
- (iii) such sect or division thereof has been in existence at all times since December 31, 1950.

An employee must file with the Division at the same time, the following forms:

- (a) "Section 287.804 Employee's Application for Religious Exception from the provisions of the Missouri Workers' Compensation law;"
- (b) Employee's Affidavit and Waiver of Workers' Compensation Benefits; and
- (c) Employer's Affidavit of Exception from Workers' Compensation Benefits

If the Division grants the religious exception, the employee would have waived his/her rights to any benefits under the workers' compensation law.

An exception granted to the employee pursuant to §287.804 RSMo shall be valid until he/she rescinds the election to reject benefits under the law or the religious sect or division that the employee is a member of ceases to meet the requirements of §287.804 (1) RSMo.